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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAURICE HOLMES,

Defendant.

CASE NO: 2:21-cr-00225-GMN-NJK

**STIPULATION TO CONTINUE
TIME TO FILE DEFENDANT'S
OBJECTIONS TO REPORT AND
RECOMMENDATION**

(First Request)

IT IS HEREBY STIPULATED AND AGREED by MAURICE HOLMES, by and through his attorney, THOMAS A. ERICSSON, ESQ., of Oronoz & Ericsson LLC, and the UNITED STATES OF AMERICA, by and through KENNETH NICHOLAS PORTZ, ESQ., Assistant United States Attorney, that the deadline for Defendant's objections to the Report and Recommendation filed with this court on August 15, 2022 [Document No. 58], currently scheduled for August 29, 2022, be vacated and continued for three (3) days to September 1, 2022. The request for a continuance is based upon the following:

1. Trial in this matter is currently set for December 19, 2022, at 9:30 a.m.
2. Defendant is in custody and does not object to the requested extension.

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3. Defense counsel for Maurice Holmes has spoken to Assistant United States Attorney Kenneth Nicholas Portz, and the Government has no objection to the continuance.
4. Defense counsel requires additional time to finalize the Objections with Mr. Holmes, who has had limited access to contacting his lawyer from the Pahrump detention center the last 10 days. Mr. Holmes wants to review the content of Objections before filing and has made arrangements to contact counsel on August 31 to finalize his review.
5. The additional time requested herein is not sought for purposes of undue delay.
6. Additionally, denial of this request to extend briefing schedule could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

Dated: August 29, 2022

Respectfully submitted,

/s/ Thomas A. Ericsson
Thomas A. Ericsson, Esq.
ORONOZ & ERICSSON, LLC
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Attorney for Defendant Maurice Holmes

/s/ Kenneth Nicholas Portz
Kenneth Nicholas Portz, Esq.
Assistant United States Attorney
501 Las Vegas Boulevard, Suite 1100
Las Vegas, Nevada 89101
Attorney for the United States of America

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**UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,

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vs.

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Defendant.

CASE NO: 2:21-cr-00225-GMN-NJK
**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

Based on the pending Stipulation of counsel, and good cause appearing, therefore, the Court finds:

1. Trial in this matter is currently set for December 19, 2022, at 9:30 a.m.
2. Defendant is in custody and does not object to the requested extension.
3. Defense counsel for Maurice Holmes has spoken to Assistant United States Attorney Kenneth Nicholas Portz, and the Government has no objection to the continuance.
4. Defense counsel requires additional time to finalize the Objections with Mr. Holmes, who has had limited access to contacting his lawyer from the Pahrump detention center the last 10 days. Mr. Holmes wants to review the content of Objections before filing and has made arrangements to contact counsel on August 31 to finalize his review.
5. The additional time requested herein is not sought for purposes of undue delay.
6. Additionally, denial of this request to extend briefing schedule could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence

1 pursuant to the Speedy Trial Act, Title 18, United States Code, Section
2 3161(h)(7)(A), considering the factors under Title 18, United States Code,
3 Section 3161(h)(7)(B)(i), (iv).

4 **CONCLUSION OF LAW**

5 The ends of justice served by granting said continuance outweigh the best interests of the
6 public and the defense in a speedy trial, since the failure to grant said continuance would be
7 likely to result in a miscarriage of justice, would deny the defendant sufficient time and the
8 opportunity within which to be able to prepare effectively and thoroughly for trial, taking into
9 account the exercise of due diligence.
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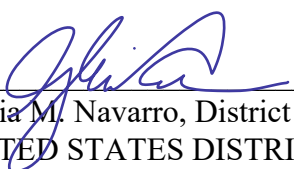
11 The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United
12 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code
13 §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).
14

15 **ORDER**

16 IT IS FURTHER ORDERED that the deadline for Defendant's objections to the Report
17 and Recommendation filed with this court on August 15, 2022 [Document No. 58], currently
18 scheduled for August 29, 2022, be vacated and continued for three (3) days to September 1,
19 2022.
20

21 **IT IS SO ORDERED *nunc pro tunc*.**

22 Dated this 30 day of August, 2022
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25 _____
26 Gloria M. Navarro, District Judge
27 UNITED STATES DISTRICT COURT
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